

# **EXHIBIT 5**

DATE:

TIME:

PARTICIPANTS: 1.  
2.  
3.

(Beginning of Call.)

OPERATOR: 911 Emergency.

CALLER: Somebody's chasing me right now. I'm here in the police station.

OPERATOR: You're at the police station?

CALLER: Yeah.

OPERATOR: Somebody's touching you?

CALLER: Yeah. I'm in the police station right now. It's a BMW.

OPERATOR: Are you in front of the station?

CALLER: Yeah, I'm right here. He (unintelligible). I'm here.

OPERATOR: Yeah, but what's he doing? What, what are you -- walk into the station. I mean, what's going on?

OPERATOR2: Somebody out front?

OPERATOR: Somebody out front talking about a BMW. Hello? Hello? He hung up.

(End of call.)

DISPATCH: Lawrence to Detectives, any available (unintelligible) car. LA Grill. Look for a blue, BMW, 540. They just shot at somebody out here. LA Grill. BMW. Color blue. 540. Victim's at the station right now.

UNIT: 409 to (Unintelligible.)

DISPATCH: Go ahead.

UNIT: Sir, I was right in front of that location (unintelligible). There was

nobody that came over the bridge.

DISPATCH: All right. They walked in here, the individuals and they said a Beemer with the LA Grill.

UNIT: 36 I'm on Chester Street. I'm gonna head to the LA Grill from here.

DISPATCH: 10-4. Sgt. Carroll is talking to them right now. We'll get you more as it comes along.

UNIT: (Unintelligible) show us clear. The fellow ended up not wanting (unintelligible)

UNIT: 433 is off in the parking lot (unintelligible)

DISPATCH: Received.

UNIT: 33 to Lawrence. Nothing in the lot.

DISPATCH: Received.

OPERATOR: Lawrence Police, this line is recorded.

SP OPERATOR: Hi, this is State transferring a cell call.

OPERATOR: Yep.

SP OPERATOR: Cell phone is 978-397-1251.

CALLER: 1251.

OPERATOR: 1251 okay.

SP OPERATOR: Go ahead.

CALLER: Yes, I (unintelligible) somebody -- he (unintelligible) gunshot 7 times in the (unintelligible) right here

OPERATOR: Okay, wait. Wait, wait. (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: Ah, huh.

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: Ah, okay. (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: Okay. Can you run 3703 ZE?

CALLER: (Spanish)

OPERATOR: ZE. (Spanish)

CALLER: (Spanish)

OPERATOR: Now he's saying that he lives by the project by the -- what is it? 700--

CALLER: By DeMoulas, yes.

OPERATOR: By the DeMoulas. (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: (Spanish)

CALLER: (Spanish)

OPERATOR: Okay, bye.

CALLER: Okay, bye.

DISPATCH: Lawrence to cars, LA Grill. I was just informed that the individual lives by the White Hen. By White Hen. Once again, blue, BMW, 540. Lives by the area of the White Hen, on Haverhill Street.

UNIT: (Unintelligible)

DISPATCH: Lawrence to cars, Lawrence to car. The vehicle you're looking for Mass Reg 3703 Zulu, Echo. 3703 ZE. 2001 BMW 530 IA. Sedan blue. To Jose Riveira. He has two addresses. One at 525 Essex Street. And another one at 25 Crescent. Witnesses say that he shot 7 -- 7 shots. Once again, Mass Reg 3703 Zulu, Echo. 2001 Beemer. Sedan blue. To Jose Riveira. 525 Essex Street as well as 25 Crescent Two addresses.

UNIT: Do we know where he was when this happened? Was he right at the LA Grill?

DISPATCH: Yes, at the LA Grill. All right Detective Andrews, according to the caller, the guy is drunk, he went to his vehicle, then he came back, and that's when he started shooting.

UNIT: Okay.

UNIT: 17-9.

DISPATCH: Go ahead.

\*DISPATCH: All right Detective Andrews, according to the caller, the guy is drunk, he went to his vehicle, then he came back, and that's when he started shooting.

\*UNIT: Okay.

\*UNIT: 17-9.

\*DISPATCH: Go ahead.

UNIT: Mass Reg 3703 Zulu, Echo.

DISPATCH: Yep.

UNIT: That car will most likely be on Crescent Street. We had an intern that (unintelligible) this individual (unintelligible) pulled a machete on the side of the -- on the operator's side.

DISPATCH: Received. He says resident's address is 25 Crescent. Either that or 525 Essex?

UNIT: Lawrence, 71's on Crescent Street.

DISPATCH: (Unintelligible.) Received.

UNIT: 75's on Crescent Street.

UNIT: 409 to Lawrence.

DISPATCH: Go ahead.

UNIT: I have that vehicle, it's up by (unintelligible) on Andover Street. It's coming up on Winthrop. A red light.

DISPATCH: Keep talking.

UNIT: I'm just approaching it now, it's stopped at the light.

UNIT: I'm right at the light, right now. Want me to (unintelligible) in front of him?

UNIT: I don't think that would be very safe. We'll try to (unintelligible) him on Winthrop (unintelligible) we can get a good shot at him.

DISPATCH: (Unintelligible). Go ahead Captain, keep going.

UNIT: We're just waiting for the light to change. We'll try to stop him at Andover and Parker.

DISPATCH: Wait for some back up.

UNIT: Kevin, is that the car?

UNIT: That's affirmative.

UNIT: All right.

DISPATCH: Okay. (Unintelligible) just keep talking.

UNIT: Okay. The light is turning green. Travelling on Andover. Across from (unintelligible) wait for one more car.

UNIT: Kevin, I'm at Store 24, Andover Street.

DISPATCH: Kevin (unintelligible) just talk.

UNIT: We're coming up on South Union, if anybody's in the area.

UNIT: South Union Street now.

UNIT: Take a left on Foster (unintelligible).

UNIT: Take a (unintelligible) through Farnham, coming up to Andover.

UNIT: We're traveling down Farnham heading towards Phillips. (Unintelligible) behind you. He's coming through a stop sign, I'm going to write him up.

UNIT: (Unintelligible) behind you.

UNIT: Lawrence, we're stopping the vehicle. We're at Phillips and Putnam.

DISPATCH: 10/4. Keep us advised.

UNIT: Lawrence, he's in custody.

DISPATCH: 10/4.

(End of tape.)